

Receipt



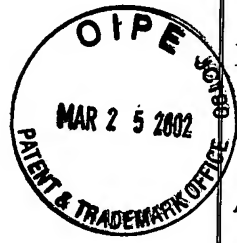
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Assistant Commissioner for Patents Washington, D.C. 20231
on March 15, 2002

PATENT
Atty. Docket No.: 016252-002110US

#3

By: Joe Ann D'Amico Dallas

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of:

Laurie A. Graham, et al.

Application No.: 10/032,658

Filed: November 8, 2001 (PTO says
01/02/2002 which is in error)

For: TENEBRIO ANTIFREEZE PROTEINS

Examiner:

Art Unit: 1652

REQUEST FOR CORRECTED FILING
RECEIPT

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, D.C. 20231

Sir:

Attached is a copy of the official Filing Receipt received from the Patent and Trademark Office in the above-noted application for which issuance of a corrected filing receipt is respectfully requested.

There is an error in that the filing date incorrectly reads "01/02/2002" and should read --11/08/2001--. Applicants had previously requested correction when it was found the return receipt postcard received from the PTO was in error. A facsimile communication was sent to Customer Corrections, Assistant Commissioner of Patents, on January 28, 2002. Copies of the documents sent are resubmitted herewith, as well as a copy of the application transmittal PTO/SB/05 form indicating the Express Mailing Label No. and mailing date of November 8, 2001.

The correction is not due to any error by applicants and no fee is due. Please charge any additional fees or credit overpayment to the Deposit Account No. 20-1430. This Petition is submitted in triplicate.

Respectfully submitted,

Kenneth A. Weber
Kenneth A. Weber
Reg. No. 31,677

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200
Fax: (415) 576-0300
KAW/jhd



KAW
016252-002110US

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
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10/032,658	01/02/2002 11/08/2001	1652	646	016252- 002110US	7	46	4
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20350
TOWNSEND AND TOWNSEND AND CREW, LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834



CONFIRMATION NO. 6842

FILING RECEIPT

OC000000007442303

Date Mailed: 02/07/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Laurie A. Graham, Kingston, CANADA;
Yih-Cherng Liou, Kingston, CANADA;
Virginia K. Walker, Sydenham, CANADA;
Peter L. Davies, Kingston, CANADA;

Assignment For Published Patent Application

Queen's University at Kingston, Kingston, CANADA;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A DIV OF 08/882,907 06/26/1997

Foreign Applications

If Required, Foreign Filing License Granted 01/30/2002

Projected Publication Date: 05/16/2002

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

Tenebrio antifreeze proteins

Preliminary Class

536

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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Suite 625
Walnut Creek
California 94596
Tel 925 472-5000
Fax 925 472-8895

FACSIMILE COVER SHEET

Date: January 28, 2002	Client & Matter Number : 016252-002110US	No. Pages (including this one): 2
To: Customer Corrections Assistant Commissioner of Patents	At Fax Number: 1-703-308-7751	Confirmation Phone Number: 1-703-308-1202
From : Kenneth A. Weber (Reg. No. 31,677) (4514)		

Message:

RE: Appln. No. 10/032,658
Tenebrio Antifreeze Proteins
Our File: 016252-002110US

Attn: Customer Corrections

Attached is an Express Mail Receipt indicating that the Divisional Appln. corresponding to the attached Return Receipt Postcard was deposited with the United States Postal Service on 11-8-01. The return postcard indicates a filing date of 01/02/02 which is in error. Please correct the filing date to be 11-08-01 on any future correspondence/filing receipt.

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**BOX PATENT APPLICATIONS
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**DIVISIONAL APPLICATION
FILING ACKNOWLEDGMENT**

Mailing Date: **November 8, 2001** Express Mail: **EL827151686US**

File No.: **016252-002110US** Attorney: **KAW/jhd**

Appln. No.

Inventor(s): **Laurie A. Graham, Yih-Cherng Liou, Virginia K. Walker and
Peter L. Davies**

Title: **TENEbrio ANTIFREEZE PROTEINS**

Divisional Pat. Appln. under 37 CFR 1.53(b), 60 pp. spec., 7 sheets informal drawings;
copy of signed Declaration and Power of Atty.; copy of recorded Assignment
(Reel/Frame 8850/0737); Power of Atty. by Assignee; Verified Statements Claiming
Small Entity Status; Application Data Sheet; Communication and Preliminary
Amendment (22 pp.); Substitute Sequence Listing (15 pp.); Information Disclosure
Stmnt. and forms SB/08A&B citing refs. AA-AG, BA and 1-25; Fee Transmittal; and
Utility Patent Appln. Transmittal

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SF 1289964 v1

JAN 16 2002

10/032658
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Should be
11/08/01

 *** TX REPORT ***
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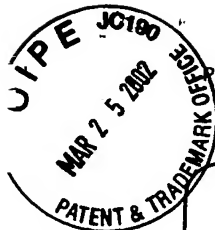
Message:

RE: Appln. No. 10/032,658
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Respectfully,



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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. 016252002110

First Inventor

Graham, Laurie A.

Title

TENEBRIO ANTIFREEZE PROTEINS

Express Mail Label No.

EL 827151686 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning design patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 60]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 7]
5. Oath or Declaration [Total Pages 3]
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63 (d)).
(for a continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☒ paper number of pages 4
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATIONS PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☒ 37 C.F.R. § 3.73(b) Statement ☒ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent
17. ☒ Other: Substitute Sequence Listing (15 pp.), Communication and Preliminary Amendment w/ Sequence Listing Statement, Power of Attorney by Assignee, and Verified Statements Claiming Small Entity Status (from Queens Univ. and A/F Protein)

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP)

Prior application information: Examiner P. Tung

of prior application No: 08/882,907

Group Art Unit: 1652

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

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Name

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Name (Print/Type)

Kenneth A. Weber

Registration No. (Attorney/Agent)

31,677

Signature

Kenneth A. Weber

Date

November 8, 2001

SF 1279425 v1

EL 827151686 US